

The Best & Easiest Solution
of
THE KASHMIR ISSUE



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FOREWORD

This brochure, written by Mr Amanullah Khan, Supreme Head, JKLF, explains the reasons why Kashmir Issue has remained unresolved for six long decades, what kind of solutions were suggested in the past, why these suggestions could not be implemented, what is the solution that can meet all the criteria required for its practicability and acceptability by all concerned, what are other credentials of the proposed practicable solution and what are the provisos to its acceptance and implementation.

The first topic i.e. 'why Kashmir Issue has remained unsolved' has been explained in considerable detail firstly because people don't know or have forgotten the real details of the way Kashmir Issue was dealt with and Kashmiri people treated by India, Pakistan and the international community all these years and secondly because both the governments of India and Pakistan have been indoctrinating people in accordance with their own selfish and mostly baseless stands on the Issue, hence misleading them as well as the world opinion.

It is in the fitness of things to mention here that no solution of Kashmir Issue not based on the unfettered and freely expressed will of the people of the entire Jammu Kashmir State as it existed on Aug. 14, 1947 nor one that may provide for permanent and forced division of the State, will be accepted by its people. Never-the-less Kashmiris will surely not ignore the genuine national interests and legitimate concerns of India and Pakistan provided that Kashmir too is given a good neighbourly treatment by them.

As stated at the end of the proposed win win solution, its implementation is subject to a realistic and selfless approach to the Issue on the part of the people, the media and above all, the governments of India and Pakistan. As such, I appeal to all of them to remove the hurdles lying in the way of this equitable, honourable and democratic solution of the Issue. Let me stress that, if left unsolved, Kashmir Issue can well subject the entire region to an unimaginable catastrophe and if solved as proposed, can herald the dawn of a peaceful, prosperous, respectful and harmonious future for the countries and the people of entire South Asia and their coming generations. India and Pakistan have to choose from the two unavoidable results, i.e. permanent peace with prosperity and self-inflicted destruction.

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Chapter 1

WHY KASHMIR ISSUE HAS REMAINED UNRESOLVED

Kashmir Issue, the oldest unresolved international problem concerns determination of the political and constitutional status of Kashmir (officially known as Jammu Kashmir State), the largest and one of the biggest semi-independent states of the former Indian Subcontinent under overall British Suzerainty until 1947 when the Subcontinent got freedom in the shape of its division on religious basis, resulting in creation of two independent countries, Secular India and Muslim Pakistan.

Kashmir was pre-dominantly a Muslim majority state with a Hindu ruler titled as Maharaja. The Maharaja who was constitutionally entitled to determine the future of his state, wanted to make it a fully independent country having friendly relations with both its neighbours, free India and Pakistan but both of them wanted to have it for themselves and that confrontation between them gave birth to the international tangle known as Kashmir Issue.

Kashmir Issue could not be solved for the last over sixty years mainly because of the selfishness of the self made claimants to the proprietorship of Kashmir i.e. India and Pakistan, of the former in particular.

The Agonizing History of Kashmir Issue

Looking from a realistic and Kashmiri patriots' point of view, the history of Kashmir Issue emerges as a painful story of shameful retractions by India and Pakistan from their solemn pledges, of their tall claims on the stage and devilish misdeeds behind the curtain, of might throttling the right, of misrepresentation of facts and misinterpretation of agreements and of colonialistic approach to a problem concerning decolonisation. It is a sad story of a simple problem being changed into an imbroglio by vested interests to avoid its equitable solution. It is also a painful saga of Kashmiris being fired upon from the front by one of its neighbours and stabbed in the back by the other.

Behind-the-Scene Conspiracies

Let me elaborate these ugly aspects of the agonizing history of Kashmir Issue and the reason why this simple issue has not only remained unresolved but has badly injured all the three parties specially the people of Kashmir, economically, politically, militarily and emotionally.

Pakistan's claim on Kashmir was based on the Muslim majority of its population whereas one of the main reasons for India wanting to have Kashmir was that its first and the most popular prime minister, Pundit Jawaharlal Nehru whose ancestors were of Kashmiri origin wanted his ancestral homeland to become part of India by hook or crook whereas a big majority of Kashmiri people was against it. To serve their purposes, both started behind-the-scene activities. Mahatma Gandhi, the most prominent of free Indias founding-fathers who apparently had a neutral stand on Kashmir, paid what was termed as a private visit to Kashmir towards the end of July 1947 and through a Hindu cleric Swami Sant Dev who was also the religious mentor of Maharajas family made the Maharaja change his mind regarding declaring Independence for his State and to think seriously of joining India. The Kashmir Muslim Conference had irritated the Maharaja earlier by aggressively demanding accession of the State to Pakistan. So he decided to defer his announcement but in the meantime (on 11th August 1947), only four days before independence of the Subcontinent, replaced his pro independence Prime Minister Mr. R.C. Kak, a Kashmiri Pundit and the first local prime minister, by pro India Janak Singh and M. C. Mahajan in quick succession. The latter, as a member of the Boundary Commission and in collusion with chief of the Commission Mr. Radcliffe and Indian leadership, had already paved the way for making Kashmir part of India by creating a road link between India and Kashmir by awarding a Muslim majority area of the Punjab to India instead of making it a part of Pakistan. In the meantime the Maharaja declared that, pending announcement of his final decision about future of the State, he would enter into "standstill" agreements with both India and Pakistan. India dilly-dallied signing it whereas Pakistan signed it under which civil supplies and communications of the State went to Pakistan's control. Smelling behind-the-scene India-Kashmir

activities, some Pakistani authorities of provincial level also started playing tricks. They initially disrupted the smooth flow of civil supplies to Kashmir to pressurize the Maharaja. On Oct.4, 1947 some Kashmiri Muslim leaders declared formation of a Provisional Republican Govt. for the State 'overthrowing' the Maharaja. On Oct 24, 1947 the Provisional Republican Govt. was reorganized with Sardar M. Ibrahim Khan declared as its President.

Pakistan's Follies

On Oct. 22, 1947 Pakistani tribesmen entered Kashmir "to free Kashmiri Muslims from Hindu rule". But their behavior was most uncivilized. A number of officers and soldiers of Pakistan Army were also engaged in Kashmir in civil clothes along with tribesmen but Pakistan claimed that neither was any Pakistani soldier in Kashmir nor had Pakistan govt. any control over the tribesmen. This gross mis-statement on Pakistans part cost her and Kashmiris a lot. When UN came to know later of presence of Pakistani soldiers and army officers in Kashmir and also that Pakistan had considerable control on tribesmen, it asked Pakistan to withdraw its forces and tribesmen from Kashmir before any further step could be taken to solve Kashmir Issue and made that demand a part of UNCIP resolution of 13th August 1948. Pakistan accepted the resolution but refused to withdraw all its forces from Kashmir arguing that India would immediately occupy the areas vacated by Pakistan. As such, UN resolution could not be implemented and Kashmiris remained deprived of their right to shape their own future. (Pakistan's another misstatement in 1999 claiming that Kashmiri freedom fighters had occupied Indian pickets in Kargil whereas it was Northern Light Infantry (NLI), an integral part of Pakistan army comprising personnel from Gilgit Baltistan that had done so. This misstatement on the part of Pakistan changed the genuine armed freedom struggle of Kashmiris into terrorism in the eyes of the world giving an unbearable blow to Kashmiris' freedom struggle.)

When Pakistani tribesmen entered Kashmir in October 1947, and started loot, arson and killing Non-Muslims, the Maharaja fled Kashmir. When he reached Jammu, Mr. V.P. Menon, Indias Secretary for States, visited him with an instrument of Jammu Kashmir States accession to India and

made him sign it under duress. The Maharaja nevertheless attached a number of conditions for States accession to India concerning continuation of his own and State's semi-independent status and non-interference by India in its internal affairs. India accepted the accession including Maharaja's conditions but before doing so, had sent her troops to Kashmir.

Maharaja's conditions were not implemented by India. He was later deprived of his status as the ruler of the State and ousted from Kashmir never to return to the State even as an ordinary citizen.

Kashmir Issue at the UN

India took the Issue to United Nations Security Council in December 1947 accusing Pakistan of naked aggression in Kashmir and calling upon the world body to make Pakistan vacate Kashmir. **India also declared in the UN Security Council on January 15, 1948 that after return of normalcy to Kashmir, India would let the people of Kashmir decide themselves democratically whether Kashmir should remain with India, go over to Pakistan or become independent and seek UN membership. She also pledged that she would accept and implement Kashmiri people's decision.** Pakistan had a counter attack on India at the UN and accused her of occupying bulk of Kashmir through conspiracies, coercion and blackmail. She also accused India of resorting to malpractices in the states of Hyderabad and Junagarh also. In the beginning, the title of this Issue under discussion in the UN Security Council was 'Situation in Jammu Kashmir' but on Pakistan's request it was changed into "India- Pakistan Question" on January 20, 1948 This change in the title of the debate changed the very complexion of the issue and it started giving the impression of being a territorial dispute between India and Pakistan rather than an issue concerning Kashmiris right of self determination.

The UN Security Council appointed the United Nations Commission for India and Pakistan (UNCIP) which, after exchange of views with the govts of India and Pakistan (Kashmiri leadership was ignored altogether) adopted the first detailed resolution on Kashmir Issue on August 13, 1948. It provided for ceasefire, withdrawal of all Pakistani forces and tribesmen and of bulk of Indian forces from Kashmir and then a

Plebiscite under UN supervision to determine the future of Jammu Kashmir State. Both India and Pakistan signed it and ceasefire came into effect on 1st January 1949 and cease-fire-line (CFL) demarcated in July 1949.

Pakistan had earlier asked UNCIP to change the wording of its resolution of August 13, 1948 and through that change, got the scope of Kashmiris choice reduced to States accession to India or Pakistan under the Supplementary UNCIP Resolution of Jan 05, 1949 thereby depriving Kashmiris of their right to opt for complete independence of their motherland.

When it came to withdrawal of armed forces, Pakistan refused to vacate Azad Kashmir and Gilgit Baltistan, the areas of the State that had come under her control during 15 months long war of 1947-48, saying that India would occupy these areas immediately after they were vacated by Pakistan. A UN proposal to let Pakistan retain a small force in Kashmir was rejected by India. This created the deadlock that could never be resolved hence the proposed plebiscite could not be held and Kashmiris remained deprived of their pledged right to shape their own future.

In 1950-51 UNCIP reported its failure to resolve Kashmir issue to the Security Council which appointed Sir. Owen Dixon as a sort of mediator. He, after studying the issue in detail, opined that a plebiscite as proposed by UNCIP could never be held in Kashmir and proposed the division of the State in three alternate ways. Both India and Pakistan rejected Dixon Plan, for different reasons though. Two subsequent UN mediators also failed to evolve a solution, acceptable to both India and Pakistan. Both mediators accused India of showing more undue intransigence as compared to Pakistan but the UN did not take any notice. The last report was not even studied or discussed officially by Security Council as it was 'misplaced' and finally 'lost'.

In 1957, Kashmir started being sacrificed at the altar of international politics. The then Soviet Union was crushing the popular movements of Hungary and Czechoslovakia with brute force. India as an important leader of the Third World could create difficulties for the Soviet Union. The Soviets obliged India by vetoing two Security Council resolutions on Kashmir (in 1957 and 1962) providing for right of self-determination for Kashmiris. So the rights of Kashmiris were sacrificed at the altar of international politics.

Indo-Pak Parleys on Kashmir

The 1962-63 India-Pakistan talks on Kashmir saw a major change in Pakistan's Kashmir policy when it agreed that in place of giving right of self-determination to Kashmiris, the Issue should be solved on the basis of the inequitable doctrine of 'give and take'. Though the talks did not succeed but they paved the way for the doctrine to become permanent base for efforts to resolve Kashmir issue and the Simla Agreement of 1972, Lahore Declaration of 1999 and Islamabad Joint Press Statement of 2004 between governments of India and Pakistan are based on that doctrine of 'give and take'. None of these Indo-Pak agreements makes even a mention of Kashmiris' inherent, internationally recognized and pledged right of self-determination. These agreements do not accept the people of Kashmir even as a party to Kashmir Issue whereas they are the most important and worst effected party. The doctrine of 'give and take' may solve some small disputes amicably but to subject the very future of a nation of over 16 million people, more in number than the individual populations of as many as 133 independent nations of the world, to the colonialist and selfish desires of its neighbors, the 'democratic India' and 'Islamic Pakistan', is most inhuman because this approach is neither democratic nor Islamic. (Humane)

The last UN resolution about Kashmir was the unanimous Security Council resolution No 1172 of June 6, 1998 in which it resolved to facilitate India and Pakistan to solve Kashmir Issue provided both accepted the offer but India doesn't accept what she terms as external interference on Kashmir, basically because her stand on Kashmir is too weak to be accepted by any unbiased personality or a group of them as factual or equitable. During the past about half a decade, Pakistan, its military ruler General Pervaiz Musharraf to be precise, has presented about half a dozen solutions to Kashmir Issue including that of giving complete independence to the whole Jammu Kashmir State proposed on Oct, 25, 2004. But the General retracted from his last mentioned declaration under pressure from the army, his Muslim League (Q) and a section of the media .He has also proposed self rule, demilitarization, joint control etc. But all these proposed steps are going to ultimately lead to forced division of Kashmir on the basis of turning the Line of Control (LoC) into

permanent India-Pakistan border totally ignoring the wishes and aspirations of Kashmiri people about their future, hence not acceptable either to India or to Kashmiri patriots for different reasons though.

India has all along stuck to its baseless claim of Kashmir being her integral part whereas Pakistan has been chasing the looter to share the booty. Both are far more interested in the proprietorship of maximum possible chunk of the State of Jammu Kashmir than they are in the wishes and aspiration of its people.

Nourishment of Pets, Puppets

As if the aforementioned misdeeds of the governments of India and Pakistan were not enough to stand in the way of an equitable solution of Kashmir Issue based on unfettered and freely expressed will of Kashmiri people, both have tamed a big number of pets and puppets among Kashmiri political leaders in both parts of the State who are loyal to their masters in New Delhi and Islamabad instead of their own Kashmiri national cause and enjoy luxuries of ruling their respective parts of the State turn by turn at the cost of their short and long term national interests.

Both India and Pakistan have made Kashmir Issue a matter of their national egos. India also argues that if entire Kashmir goes to Pakistan even per Kashmiris freely expressed will, that will damage Indian secular statecraft whereas Pakistan has been contending that Muslim majority Kashmir not becoming part of Pakistan was negation of her Two Nation Theory. In their contentions both ignore the aspiration of Kashmiri people.

Attitude towards Kashmiri Nationalists

In spite of pledging and declaring nationally and internationally their acceptance of Kashmiris' right to independence, India and Pakistan gradually backed out of their pledges. Until the basic change (for worse) brought about by General Pervez Musharraf in Pakistan's Kashmir policy, the only thing common between India and Pakistan on Kashmir was their opposition to the concept of independent Kashmir. Both countries barred pro-independence parties and individuals, in their respective controlled parts of Kashmir, from contesting elections to public offices.

In 1971 Pakistan crushed pro-independence Kashmiri

Organisations, the Plebiscite Front and National Liberation Front (NLF) with full force. Famous Kashmiri freedom fighter Shaheed Maqbool Butt spent about three years in Pakistani prisons accused of being an Indian agent and about 10 years in Indian jails accused of being an agent of Pakistan and then sent to gallows by India in Feb. 1984. He was an agent neither of India nor of Pakistan. His real crime was that he was actively and effectively struggling for independence of his motherland, Kashmir.

These are a few of scores of examples that explain how supporters of independent Kashmir are treated by India and Pakistan.

Kashmiris continued their peaceful struggle for their right of self determination for over four decades but failed. This compelled them to resort to armed freedom struggle in 1988. But India crushed it with brute military force. Pakistan government's role in it was not selfless too inspite of her tall claims to the contrary.

International Community took full interest in Kashmir Issue till 1957. It was the UN that had given to Kashmiris their right to determine their own future whereas the British rulers, Indian National Congress and Muslim League had subjected their future to the whims of the Maharaja. But the UN failed to get her own resolutions on Kashmir implemented. After 1957 it gradually changed its policy and is now quite apathetic towards Kashmir Issue in order not to annoy India and / or Pakistan.

In Conclusion

In short, the colonialistic and selfish attitude of the governments of India and Pakistan towards Kashmir Issue, the shortsighted, selfish and unpatriotic attitude of their pets and puppets in Kashmir and apathy of international community have been the main reasons for the Issue remaining unresolved.

Pledges , Declarations by India & Pakistan

1. India pledged at the UN Security Council on Jan 15, 1948, "..... Whether she (Kashmir) should withdraw from her accession to India and either accede to Pakistan or remain independent with a right to claim admission as a member of the United Nations- all this we have recognized to be a matter for unfettered decision by the people of Kashmir, after normal life is restored to them."
2. Quaid Azam, the founding father of Pakistan, had declared on June 17, July 11 and July 30, 1947 that Indian princely states (including Kashmir) had the right to join India or Pakistan or declare independence.

Should not these Pledges and Declarations be honoured?

Chapter 2

THE ONLY WIN WIN SOLUTION

Efforts to solve Kashmir Issue have been continuing since the very birth of the problem but did not succeed for one reason or the other. About a dozen solutions of the Issue have so far been proposed by different quarters. These include (1) UN supervised plebiscite per resolutions of the UN Commission on Kashmir (UNCIP) to determine the political and constitutional status of Jammu Kashmir State, accepted by both India and Pakistan (2) The Dixon Plan (3) Division of the State on religious basis (4) Settlement of the Issue through negotiations between the governments of India and Pakistan (5) Joint Control of India and Pakistan on the entire State (6) Complete Independence of the whole State (7) Complete Independence of Kashmir Valley and the rest of the State to go to India and Pakistan (8) Making the present LoC permanent Indo-Pak border (9) Self Rule to all the three regions (10) To give the entire State or part of it under UN Trusteeship for some time followed by a final settlement (11) Demilitarisation of the entire State.

The aforementioned proposed solutions including two (S.No.1 and 4) accepted by both India and Pakistan could not be implemented due to opposition to them by one or the other party to the issue arguing, rightly or wrongly, that they were detrimental to their national interests. None-the-less there surely does exist a way to solve the Issue without hurting the national egos or harming the legitimate interests of India, Pakistan or Kashmir.

THE ONLY WIN WIN SOLUTION

The solution of Kashmir problem that does not hurt the national egos or harm the legitimate interests of any of the three parties hence cannot and should not reasonably be rejected by any of them, is that it should be peaceful, equitable, democratic and honourable.

The only solution that fully meets this criterion is to re-unite the divided Jammu Kashmir State in several peaceful phases and after simultaneous withdrawal from there of all Indian and Pakistani armed and civilian personnel and to make it temporarily though, a fully

Independent State with a democratic (having a bicameral parliament) federal (Kashmir valley, Jammu, Ladakh, Azad Kashmir and Gilgit Baltistan as its provinces) and secular system of government and having compulsory friendly relations with all its neighbours, with India and Pakistan in particular, who should undertake not to violate the borders or interfere in the internal affairs of Kashmir and the latter should pledge not to let its territory or airspace to be used against any of her neighbours. Although it can be said with full surety that an overwhelming majority of the people will vote for perpetuation of then prevailing type of independence, it is nevertheless a must to subject the matter to the freely expressed will of the people in order to make the solution really a democratic one. As such there be a free and fair referendum 15 years after independence, under international auspices in which Kashmiris will determine whether Kashmir should perpetuate its independence, become part of India or Pakistan or adopt any other course and that fair and democratic verdict of Kashmiri people be accepted by all concerned i.e. India, Pakistan, all Kashmiris and international community, as final settlement of the Issue and implemented. (Detailed Roadmap of this solution can be had from JKLF's Central Information Office, C.I.O.)

This is the only solution of Kashmir 'imbroglio' that is not only peaceful, equitable, democratic and honourable, but can surely prove to be permanent and solve the problem once for all. Let us see how:-

PEACEFUL

A study of the proposed solution makes it clear that all the steps to be taken towards its accomplishment will be peaceful. Moreover since the proposed independent Jammu Kashmir will have democratic, federal and secular system of government, the rights and interests of religious and cultural minorities will be safeguarded, hence there will be no communal or ethnic disturbances, no mass-migrations hence no bloodshed too, either during the transitional period or after that.

EQUITABLE

The proposed solution is equitable because it does not do any injustice to any of the parties to the issue but will, in the long run be highly beneficial to all concerned. It does not do any injustice to India because it does not take away from her any thing that belongs to her. Indian claim that Kashmir is Indias integral part by dint of Maharajas accession of the state to India, is baseless and unjustified firstly because the Maharaja had signed it under duress and at a time when he had lost control of the bulk of the State, and secondly because inspite of accepting Maharajas conditions for accession, India did not fulfill them nor did India fulfill her own pledge given at the time of conditionally accepting the accession of the State to India, the pledge of letting the people of the very State determine their own future later through democratic means. (Yet another unfair act on the part of Indian government, she sent troops to Kashmir before officially accepting, even receiving the Instrument of Accession from the Maharja). And thirdly and more importantly, because, after their pledge given at UN Security Council (see page 11) and after accepting the UNCIP resolution of August 13, 1948 which provided that the future of the entire Jammu Kashmir State would be determined in accordance with the result of the UN supervised plebiscite in the State, Maharajas accession to India had become totally invalid and meaningless. As such asking India to leave the part of Kashmir under her unjustified control to its real owners, the people of Kashmir, does in no case amount to any kind of injustice to India hence the solution is equitable. This solution does not do any injustice to Pakistan because under Indian Independence Act (IIA) of 1947 Two Nation Theory (that Muslim majority areas should become part of Pakistan and rest of free India) applied only to British India (part of the subcontinent under direct control of the British) and not to the princely States (including Kashmir) whose future had to be determined by their hereditary rulers. Incidentally this provision of the IIA 1947 had been demanded by All India Muslim League, the very mother of Pakistan and the purpose was to pave the way for the Muslim ruler of the Hindu majority State of Hyderabad to declare complete Independence of his State as desired by him. Moreover

Quaid-e-Azam Mohammad Ali Jinnah, the president of Muslim League had himself accepted the right of the Maharaja of Kashmir to determine the future of his State. In his policy statement issued on July 11, 1947, the Quaid had said, "The second question that is engaging the attention of the Muslims of Kashmir is whether Kashmir is going to join the Constituent Assembly of Pakistan. I have already made it clear more than once that the Indian States are free to join either the Pakistan Constituent Assembly or the Hindustan Constituent Assembly or remain independent. I have no doubt that the Maharaja and the Kashmir Government will give their closest attention and consideration to this matter and realize the interests not only of the Ruler but also of his people" (page 24 of the book 'Quaid-e-Azam Mohammad Ali Jinnah Speeches and Statements 1947-48' published by Govt. of Pakistan). As such Jammu Kashmir State could not ipso-facto become part of Pakistan just because it was Muslim majority State. Therefore, asking Pakistan to accept independence of the entire State if Kashmiris so desire, does not amount to doing any kind of injustice to her.

The condition that the proposed independent Jammu Kashmir should have compulsory friendly relations and agreements of peaceful co-existence with its neighbours is meant to address the genuine concerns and apprehensions of India and Pakistan about their security and economies.

As for Jammu Kashmir State itself, its complete independence will be, for absolute majority of its people, like their sweetest dream coming true. To make this solution more protective of peoples rights, the provisions of democratic, federal and secular system of government for the proposed independent Kashmir are to protect the rights and legitimate interests of the religious and cultural minorities of the entire State. As such, independence could not amount to any kind of injustice to the people of the State including its cultural or religious minorities.

This solution will be equitable for international community because it will do away with the danger to world peace and smooth working of global economic order posed by continuous tension between two South Asian nuclear powers.

This solution of Kashmir Issue will be equitable for all concerned because it will ultimately result in a very peaceful, prosperous and dignified future for all the three parties to the Issue.

DEMOCRATIC

The solution will be democratic because the final settlement of the Issue will be based on the unfettered and free will of Kashmiri people expressed through the proposed referendum to be held under international supervision fifteen years after re-unification and independence of the State.

HONOURABLE

The solution will be honourable for all the parties to the Issue particularly for India and Pakistan because (1) it will solve the Issue without hurting the national egos of India and Pakistan and without giving either of them a sense of defeat as neither of them will be required to hand over to the other the part of Kashmir under her control (2) without harming the legitimate interests of either of them as independent Kashmir will be having compulsory friendly relations and agreements of peaceful co-existence with both of them. It will be honourable for the people of Jammu Kashmir because it will be they themselves and not outsiders who will determine their future.

PERMANENT

The solution will prove durable rather permanent firstly because it will be to reasonable satisfaction of all the three parties and secondly and more importantly because it will open the doors for a peaceful, prosperous and respectful future for them.

None of the other solutions of Kashmir issue proposed so far from any quarter is as peaceful, equitable, democratic and honourable for all parties to the issue i.e. Kashmiri people, Pakistan, India and even the international community as this one. What is all the more important this solution is sure to prove durable rather permanent hence will open the doors for a peaceful, prosperous and dignified future for the peoples and states in the entire region.

Chapter 3

KASHMIR'S OTHER CREDENTIALS FOR INDEPENDENCE

The arguments given in the preceding chapter prove that the best practicable and the only win win solution of Kashmir Issue is to re-unite the divided Jammu Kashmir State and make it a fully independent one with a democratic, federal and secular system of government, having compulsory friendly relations with both India and Pakistan and 15 years later, there be an internationally supervised referendum in which the people of whole of Jammu Kashmir as it existed on August 14, 1947 will determine whether to perpetuate their very independence, become part of India or Pakistan or evolve any other solution of the Issue and that popular verdict be accepted by all concerned as final settlement of the Issue and implemented. In all probability an over-whelming majority of the people will vote for complete independence. That in other words means that complete independence of the entire Jammu Kashmir State, subject to its having a democratic, federal and secular system of government, having friendly relations with both India and Pakistan and also subject to approval of the people of the State, is the only solution of Kashmir Issue that will not only rid India, Pakistan and specially Kashmir, of the present painful state of affairs and of future dangers but will also herald the dawn of a peaceful prosperous and honourable future for the three besides strengthening world peace.

Apart from the aforementioned colossal benefits of its qualified independence, Kashmir has important credentials of its own too for independence. Let me enumerate and elaborate them.

1: Independence in the Past: Thousands of years long history of Kashmir is divided into eras of local and foreign rules. Its borders have also been expanding and shrinking. Before Muslims appeared on its political platform in the 14th century A.D, 21 dynasties of Hindus, Buddhists, Jains and Zoroastrians had ruled Kashmir out of whom 18 were local during whose rule Kashmir was an independent State. Muslims ruled it for 480 years (1339 to 1819 AD) out of which

246 years (more than half) were of complete independence which also includes the golden era of Budshah Rule (1420 to 1470) when Kashmir reached the zenith of its glory and prosperity. On the whole Kashmir has been a free and independent country for bulk of its history. That entitles it for independence now too.

2: Commitments: Both India and Pakistan who occupy parts of Kashmir territory stand committed to independence of Kashmir. There are dozens of examples to that effect. Let me refer to only one each.

India: Addressing the UN Security Council on January 15, 1948, Gopala Swami Ayangar, the head of Indian delegation declared on behalf of India, "..... Whether she (Kashmir) should withdraw from her accession to India and either accede to Pakistan or remain independent with a right to claim admission as a member of the United Nations- all this we have recognized to be a matter for unfettered decision by the people of Kashmir, after normal life is restored to them." There could not be a stronger commitment from India to concede independence to Kashmir than one she made from the rostrum of the highest international forum.

Pakistan: The founder of Pakistan Quaid-e-Azam Muhammad Ali Jinnah had declared through his policy statements made on June 16, July 11, and July 30, 1947 that all princely states of the Subcontinent including Kashmir could opt for independence besides acceding to India or Pakistan.

3: Population and Area: The population of Kashmir is over 16 million, more than the individual populations of as many as 133 of 192 UN member nations. Its Area is over 2,17, 000 sq. Km, more than the areas of about 102 independent nations.

4: Economic Prospects: The economic potentials of Kashmir i.e. Power Generation, Tourism, Forests, Cottage Industries, Fruits, Minerals, Sericulture, and heavy skilled and unskilled manpower working abroad etc, are such that within a decade or so after independence and with proper planning, Kashmir can surely become the most prosperous country of the entire region.

5: Defence of Kashmir: Kashmir is surrounded by mighty neighbors i.e. China, India and Pakistan with none of whom can Kashmir afford a conflict. As such, there are two alternative ways to ensure its security. The first and the preferable one is to enter into a treaty of peaceful co-existence with all its neighbors. If that does not work, we will enter into defence pacts with any of them. As such, defence will not be a big problem for independent Kashmir.

6: Education: Even today the aggregate literacy rate of Kashmir is higher than those of India and Pakistan. Tens of thousands of our engineers, doctors, scientists, scholars and other professionals can contribute to rapid development of our independent motherland.

7: Freedom Struggle: According to opinion polls conducted by Indian newspapers, a big majority of people in Kashmir Valley and large number of people in Jammu and Ladakh areas are for re-unification and independence. During the freedom struggle started in 1988 by pro-independence JKLF, tens of thousands of freedom fighters have sacrificed their lives out of which a big number were pro independence. A number of pro independent organizations, JKLF being the most prominent and active one among them, are working in all the three parts of the state i.e. Indian controlled part, Azad Kashmir and Gilgit Baltistan.

8: Infrastructure: At present Kashmir is divided into three administrative zones i.e. Indian controlled part and Pakistani controlled Azad Kashmir and Gilgit Baltistan. The Chinese administered Aksai Chin is almost uninhabited. All the three have legislative assemblies, high courts, educational institutions, hospitals and quite capable bureaucracy. So, independent Kashmir will not have to start every thing anew. All that will have to be done will be to restructure the existing institutions into the structure of a federal republic.

In Final Conclusion

All the aforementioned facts fully entitle Kashmir to complete independence even per norms of the UN and international law and this entitlement is besides the fact that establishment of a democratic, federal and secular

Independent Kashmir, having friendly relations with all its neighbours especially India and Pakistan, is the only way to bring durable peace to the area and also to ensure a prosperous and respectful future for its huge populace numbering over one fifth of the entire humanity.

In the light of these undeniable facts, India and Pakistan owe it to their future generations and the international community to world peace and to the principles and values that it stands for, to take steps conducive to conceding independence to Kashmir the way suggested above thereby ensuring peace, progress and harmony for entire South Asia. And we humbly appeal to all the three to do so.

CHOICES FOR INDIA AND PAKISTAN

India, Pakistan and the world at large have to choose from the following two alternatives about Kashmir.

1. SOLVE KASHMIR ISSUE as suggested in this brochure (pages 12-13). That will ensure a peaceful, prosperous, dignified and harmonious future for the countries and peoples of entire South Asia, strengthen world peace and benefit international trade and commerce.

2. LEAVE IT UNSOLVED. That will not only perpetuate the past and present painful state of affairs but may well result in yet another armed conflict, this time between two nuclear powers, resulting in unimaginable devastation of the entire region besides endangering world peace and disrupting international economic order.

THE CHOICE IS THEIRS

(Continued from Back Page)

Which strongly preached the ideology of independent Kashmir. Before its closure under government pressure several years later Mr. Amanullah Khan had spent on the magazine most of what he had earned from his schools. He re-started the magazine in England in 1976 and continued projection of his independence ideology for several years.

2. Mr. Amanullah Khan along with late G.M Lone, then a member of Azad Kashmir State Council played key role in establishment in 1963 of Kashmir Independence Committee, almost the first pro-independence Kashmiri organization and worked as its de-facto secretary before it was de-organized a couple of years later for many reasons.

3. As co-founder and Secretary General of Jammu Kashmir Plebiscite Front (JKPF) formed in 1965 and its two wings JKNLF and Kashmir Committee for Afro-Asian Peoples Solidarity, Mr. Amanullah Khan and JKPF contributed a lot through literature, rallies, press conferences, demonstrations etc towards projection and expansion of independence ideology.

4. Mr. Amanullah Khan has written, in both Urdu and English, three books, over 60 booklets, brochures and pamphlets, over 100 articles (most of them published in leading newspapers, periodicals of India, Pakistan and Kashmir) and has been interviewed quite often by the print and electronic, national and international media on different aspects of Kashmir Issue and independence ideology. No other Kashmiri leader has written so much on these topics.

4(a). Mr. Amanullah has addressed three press conferences at the UN headquarters in New York, one at National Press Club in Washington (as guest speaker), about half a dozen in London and one or more each in important capitals of Europe before India and Pakistan put restrictions on his visits to countries outside Pakistan. This is besides scores of press conference addressed by him in Pakistan, A.K and Gilgit Baltistan. He has also addressed rallies and press conferences, held out side Pakistan, on telephone. In this respect also Mr. Amanullah stands ahead of other Kashmiri political notables.

5. Mr. Amanullah Khan is the only Kashmiri who has been imprisoned abroad (England 16 months, Belgium 72 days and New York 1 day) as well as in Kashmir and Pakistan (Handwara,

Gilgit, Azad Kashmir, Rawalpindi, Karachi and Lahore (in the torture center called Shahi Qillah Lahore) for his activities related to liberation of Kashmir and often subjected to unbearable mental and physical torture during detention.

6. Mr. Amanullah Khan is the only Kashmiri political figure against whom India has got International Warrants of Arrest (Red Notice) issued by Interpol and Pakistan has confiscated his passport both doing so in order to keep him from political activities abroad to project his independence ideology.

7. Mr. Amanullah Khan has played key role in matters concerning formation of the ideology, policies and strategy of JKLF and in their implementation.

8. He is usually termed the 'common political property' of all the three parts of Jammu Kashmir State i.e. of Gilgit Baltistan (his birth place and for whose people's political, constitutional rights he spent 15 months in prison in 1970-72), of Indian controlled part (where he got attached to freedom struggle) and of Azad Kashmir (where his ideology matured practically) and also because his JKLF functions in all the three parts and works for their reunification and independence.

9. JKLF has a clear and unambiguous vision about the future of Jammu Kashmir State i.e. reunification and complete independence of Jammu Kashmir State (its borders being the same as they were on August 14, 1947) with a democratic, federal and secular system of government and having friendly relations with all its neighbours particularly with India and Pakistan.

10. JKLF has branches in all districts of Azad Kashmir, and is also functioning in Gilgit Baltistan, in Indian controlled Kashmir, in Pakistan, Saudi Arabia, UAE, most of the European countries (half a dozen branches in England) in USA and Canada.

11. JKLF has different wings i.e. student wing, called Student Liberation Front (SLF), militant wing called National Liberation Army (NLA) and womens wing. All these sections of JKLF, SLF in particular, have been actively participating in freedom movement as well as in organizational activities. Anyhow the activities of the militant wing which played the most important role in injecting a new life to dying liberation movement and also to almost dead Kashmir Issue stand suspended under a decision of the Central Executive Committee taken on the advice of the Policy Planning Committee of the organization.

12. After its formation in England in 1977 by Mr. Amanullah Khan and others, JKLF has so far held dozens of rallies, conferences, protest demos and seminars in all important capitals of Europe and in New York besides in different parts of the State and in Pakistan distributing pro-independence literature during those events.

13. JKLF started armed freedom struggle in Kashmir in 1988 which injected new life into the dying Kashmir Issue and almost dead freedom movement

14. JKLF made four historic attempts from 1992 to 1999 to cross the bloody line bisecting Kashmir and called LoC peacefully, unarmed and enmasse numbering thousands of people. These ventures attracted world attention towards Kashmir Issue.

15. Both India and Pakistan have adopted carrot and stick policy to force Mr. Amanullah Khan and JKLF to submission and to abandon their independence ideology but both have failed miserably due to unwavering determination of Mr. Khan and his colleagues not to succumb to their pressure.

16. JKLF has briefed diplomats based in Islamabad collectively six times on different aspects of Kashmir Issue.

17. A number of JKLF ventures conceived, planned and their execution supervised by Mr. Amanullah Khan gave instant projection to Kashmiris' cause on national and international level. For instance, the historic protest demonstration for about 20 minutes by JKLF activists inside UN General Assembly Hall (visitors gallery) and throwing of thousands of leaflets containing Kashmiris' demands, into the hall, on October 10, 1980 during Indian foreign ministers address to the General Assembly, was a unique venture which made 155 foreign ministers, about a thousand senior diplomats and politicians from all corners of the world and above all hundreds of world media persons, aware of Kashmiris demands (through slogans raised by demonstrators and the leaflets) within a quarter of an hour.

In short Mr Amanullah Khan and JKLF led by him have contributed far more than any other person or organisation has, towards strengthening and expanding the ideology of complete independence of Jammu Kashmir State.

Mr. Amanullah Khan & JKLF. Some Interesting Facts



Mr. Amanullah Khan, one of the founders of the pro-independence Kashmiri organization Jammu Kashmir Liberation Front (JKLF) and its present Supreme Head, was born on August 24, 1931 in Astore, Gilgit, the northern province of Jammu Kashmir State till Nov. 1, 1947, an independent territory till Nov. 16, 1947 and since then under direct control of Pakistan. While still a small boy, domestic circumstances compelled Amanullah to be sent to Kashmir Valley where he received his basic education but had to migrate to Pakistan (Karachi) in 1952. He graduated in law from Karachi University in 1962.

His early years in Karachi were very hard so much so that he had to sleep on footpath for six months but his determination and continuous hard work bore fruit and by 1956-57 he had succeeded in establishing two private schools which flourished within a few years and by 1962 he was not only financially self-sufficient but also able to do some social work and to spare time and money for his practical participation in freedom movement of Kashmir again.

Mr. Amanullah Khan had started taking part in freedom movement in 1947 while still a school boy in Indian held Kashmir and had also been arrested there once. But a clear ideology of independent Kashmir developed in his mind as a result of his study of the history of Kashmir, of Kashmir Issue, of the contemporary and past freedom movements the world-over and of the mal-treatment Kashmir and Kashmiris had received from India and to some extent from Pakistan since 1947 with the result that by 1960 he was a staunch exponent of reunification and complete independence of Jammu Kashmir State. That he and his organization JKLF have contributed a lot, rather the most, towards projection of the ideology of independence of Kashmir on national and international level, is testified by the following facts:-

1. In 1962 Mr. Amanullah Khan started monthly the 'Voice of Kashmir'

(Continued on Page 21)